

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

HEATH HUTCHISON et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 4:05CV01234 ERW
)	
E.I. DU PONT DE NUMOURS AND CO.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

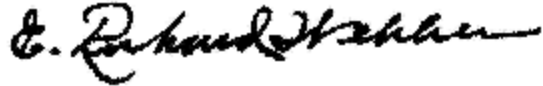
This matter comes before the Court upon Joint Motion for a Continuance Pending the Decision of the Judicial Panel on Multidistrict Litigation [doc. #9].

The parties jointly request that the Court stay all proceedings in this case pending an expected decision by the Judicial Panel on Multidistrict Litigation (“JPML”). The parties state that this action is one of fourteen purported state-wide class actions filed in different federal district courts and that Plaintiffs in this case and the plaintiffs from other jurisdictions have requested that the JPML consolidate this case with similar actions pursuant to 28 U.S.C. § 1407. A district court has the inherent power to stay its proceedings. This power is “incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. North Am. Co.*, 299 U.S. 248, 254 (1936). In considering a motion for stay, a court should consider both the interest of judicial economy and the potential prejudice or hardship to the parties. *Rivers v. Walt Disney*, 980 F.Supp. 1358, 1360 (C.D. Cal. 1997). In this case, the parties agree that the judicial economy and prejudice factors weigh in favor of staying this matter pending the JPML’s determination. The Court will grant the Motion.

Accordingly,

IT IS HEREBY ORDERED that the Joint Motion for a Continuance Pending the Decision of the Judicial Panel on Multidistrict Litigation [doc. #9] is **GRANTED**. This matter is stayed pending a determination by the Judicial Panel on Multidistrict Litigation regarding Plaintiffs' request that this case be transferred.

Dated this 10th day of February, 2006.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE